THE HON'BLE SRI JUSTICE B.SESHA SAYANA REDDY

WRIT PETITION NO.15310 OF 2004

O R D E R:

This writ petition has been filed by S.Prabhakar Reddy with a prayer to issue a writ of Mandamus or any other appropriate writ or direction declaring the action of the 1st respondent – Revenue Divisional Officer-Cum-Land Acquisition Officer in not passing award in respect of the lands acquired in pursuance of the notification issued under Section 4(1) of the Land Acquisition Act (for short 'the Act') as illegal and arbitrary and consequently direct the 1st respondent to pass the award and the 2nd respondent to pay the compensation amount to the petitioner.

The petitioner owns the land in an extent of Ac.0.82 cents and Ac.0.54 cents in survey Nos.202/3 and 207/4 respectively situated near the railway station, Tirupathi. The said land was acquired along with the other lands for the purpose of construction of railway staff quarters. A notification under Section 4(1) of the Act was issued dispensing with enquiry under Section 5-A of the Act. At the instance of the other land owners, writ petitions have been filed before this Court and subsequently the said award came to be set aside by an order dated 13-07-1999 in W.A.Nos.662 of 1998 and 663 of 1998, directing the Land Acquisition Officer to pass a fresh award. Since the award is not yet passed in respect of his land, the present writ petition has been filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition appearing for the 2nd respondent.

It is no more in dispute that the land of the petitioner has been acquired and this Court in W.A.No.662 and 663 of 1998 directed the Land Acquisition Officer to pass an award. Such is the case, the 1st respondent is bound to pass the award.

For the aforesaid reasons, the writ petition is disposed of directing the 1st respondent-Revenue Divisional Officer-Cum-Land Acquisition Officer, Tirupathi, to pass the award within a period of eight weeks from the date of receipt of a copy of the Award.

With the above direction, the writ petition is disposed of. No costs.

25-07-2005

Mjl/*